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c 7 Ministry of Tourism and Recreation Act, 1982

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CHAPTER 7

An Act to establish the Ministry of Tourism and Recreation

Assented to June 7th, 1982

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Deputy Minister" means the Deputy Minister of Tourism and Recreation;
- (b) "Minister" means the Minister of Tourism and Recreation;
- (c) "Ministry" means the Ministry of Tourism and Recreation.

2. There shall be a ministry of the public service to be known as the Ministry of Tourism and Recreation.

Ministry
established

3. The Minister shall preside over and have charge of the Ministry and has power to act for and on behalf of the Ministry.

Minister
to have
charge

4. The Ministry shall,

Objectives
of Ministry

- (a) promote tourism and recreation in Ontario to residents of Ontario and other jurisdictions;
- (b) cause the Ministry to stimulate employment and income opportunities through the effective development of tourism and recreation;
- (c) encourage and support the use of parks, tourist facilities and attractions in Ontario;
- (d) ensure that adequate opportunities are available to all residents of Ontario to pursue recreational, sports and fitness activities appropriate to their needs and interests;

(e) provide recreational, sports and fitness resources to municipalities and to provincial recreational and sports organizations; and

(f) encourage and promote improvement in the standards of accommodation, facilities and services offered to the travelling and vacationing public.

Adminis-
tration
of Acts

5. The Minister is responsible for the administration of this Act, the Acts set out in the Schedule and the Acts that are assigned to the Minister by the Legislature or by the Lieutenant Governor in Council.

Deputy
Minister

6.—(1) The Lieutenant Governor in Council shall appoint a Deputy Minister of Tourism and Recreation who shall be the deputy head of the Ministry.

Idem

(2) Under the direction of the Minister, the Deputy Minister shall perform such duties as the Minister may assign or delegate to him.

Employment
of persons
outside
Ontario

7.—(1) For the purpose of exercising any of his powers or carrying out any of his duties and functions, the Minister may employ a person who resides outside of Ontario in the service of the Crown in the country, territory or province in which the person resides.

Not
Crown
employees

(2) A person employed under subsection (1) is not a Crown employee for the purpose of any Act of the Legislature or any regulation made thereunder.

Delegation
of powers
and duties

8.—(1) Where, under this or any other Act, a power or duty is granted to or vested in the Minister, the Minister may in writing delegate that power or duty to the Deputy Minister or to any officer or employee of the Ministry, subject to such limitations, restrictions, conditions and requirements as may be set out in the delegation.

Contracts
and
agreements
R.S.O. 1980,
c. 147

(2) Notwithstanding the *Executive Council Act*, a contract or an agreement made by a person empowered to do so under a delegation made under subsection (1) has the same effect as if made and signed by the Minister.

Protection
from
personal
liability

9.—(1) No action or other proceeding for damages shall be instituted against the Deputy Minister or any officer or employee of the Ministry or anyone acting under the Deputy Minister's authority for any act done in good faith in the execution or intended execution of the person's duty or for any alleged neglect or default in the execution in good faith of the person's duty.

(2) Subsection (1) does not, by reason of subsections 5 (2) and (4) of the *Proceedings Against the Crown Act*, relieve the Crown of liability in respect of a tort committed by a person mentioned in subsection (1) to which it would otherwise be subject, and the Crown is liable under that Act for any such tort as if subsection (1) had not been enacted. Crown liability R.S.O. 1980, c. 393

10.—(1) The Minister may, on request, inspect any document or record relating to financial assistance given by the Ministry and may require the recipient of financial assistance to prepare and submit a financial statement setting out the details of the disposition of the assistance. Inspection of financial records

(3) No person shall obstruct the Minister or a person acting under the Minister's authority in an inspection under this section. Offence

(3) Every person who knowingly contravenes subsection (2) and every director or officer of a corporation who knowingly concurs in such contravention is guilty of an offence and on conviction is liable to a fine of not more than \$2,000. Penalty

(4) Notwithstanding subsection (3), where a corporation is convicted of an offence under subsection (3) the maximum penalty that may be imposed upon the corporation is \$25,000. Idem

11.—(1) The Lieutenant Governor in Council may authorize a seal for the Ministry. Seal

(2) The seal may be reproduced by engraving, lithographing, printing or any other method of mechanical reproduction and, when so reproduced, has the same effect as if manually affixed. Idem

12. A reference to the Minister of Culture and Recreation, the Minister of Industry and Tourism, or the Minister of Natural Resources, as the case may be, in any Act listed in the Schedule, or in any regulation, order in council, ministerial order, act or thing made or done under any such Act, shall be deemed to be a reference to the Minister of Tourism and Recreation, so long as the Minister administers such Act, and a reference therein to the Ministry of Culture and Recreation, the Ministry of Industry and Tourism or the Ministry of Natural Resources shall be deemed to be a reference to the Ministry of Tourism and Recreation. References to Ministers and Ministries

13. The Lieutenant Governor in Council may make regulations, Regulations

- (a) providing for and authorizing the conduct of recreational programs in municipalities and territories without municipal organization, by municipal corporations, local services boards, non-profit corporations, school

R.S.C. 1970,
c. I-6

boards, bands as defined in the *Indian Act* (Canada) and other persons;

- (b) providing for programs of financial assistance for the objectives of this Act;
- (c) prescribing conditions, one of which may be the approval of the Minister, governing grants of financial assistance;
- (d) authorizing the payment, with the approval of the Minister, and fixing the amounts of financial assistance by way of special grants for recreational programs;
- (e) providing for the recovery of financial assistance given by the Ministry and prescribing the circumstances and manner in which any such recovery may be made;
- (f) governing the granting, issue and form of certificates recognizing levels of experience in recreation.

Public
accounts for
1981-82

14. The public accounts for the fiscal year 1981-82 may show the moneys that were appropriated for the ministries of Culture and Recreation, Industry and Tourism and Natural Resources as expended by those ministries, notwithstanding the reassignment of powers and duties to the Minister of Tourism and Recreation under the *Executive Council Act* before the expiration of that fiscal year.

R.S.O. 1980,
c. 147

Annual
report

15. The Minister shall in each year submit to the Lieutenant Governor in Council a report of the proceedings of the Ministry during the next preceding fiscal year, and such report shall be laid before the Assembly forthwith, but if the Legislature is not at the time in session, then within thirty days after the commencement of the next session.

Commence-
ment

16. This Act shall be deemed to have come into force on the 1st day of April, 1982.

Short title

17. The short title of this Act is the *Ministry of Tourism and Recreation Act, 1982*.

SCHEDULE

Community Recreation Centres Act

Historical Parks Act

Niagara Parks Act

Ontario Lottery Corporation Act

Ontario Place Corporation Act

St. Clair Parkway Commission Act

St. Lawrence Parks Commission Act

Tourism Act

